PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/753,462

AMENDMENTS TO THE DRAWINGS

Labels are added to blocks of Figs. 3 and 4.

Attachment: Replacement Sheet for Figs. 3 and 4.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/753,462

REMARKS

Applicants thank the Examiner for acknowledging their claim to priority under 35 U.S.C. § 119, and receipt of a certified copy of the priority document.

Claims 1-14 are all the claims pending in the application.

1.   Applicants submit with this Amendment a PTO form 1449, listing the U.S. patent application 09/267,162, which has matured into U.S. patent 6,393,116, mentioned in the IDS filed on January 4, 2001.

2.   Applicants submit with this Amendment a replacement sheet for Figs. 3 and 4, adding labels to blocks thereof.

3.   Claims 1, 5, 7, 9, and 10 stand rejected under 35 U.S.C. 102(e) as being anticipated by Schoen et al., Convergence Between Public Switching and the Internet, published in the IEEE Communications Magazine in January 1998. Applicants respectfully disagree.

Schoen was published in January 1998, earlier than the priority date of the present application. Thus, Schoen should be a reference under 102(a).

The Examiner has read the recited data for providing telecommunication services for the subscriber, transmitted on the connection between an exchange and a service computer in the form of objects, on Schoen's TCP/IP indication sent from a mail server to a local exchange, referring to Fig. 10 of Schoen.

As shown in Fig. 10 of Schoen, a subscriber with the e-mail waiting indication feature is informed when an e-mail has been received by his electronic mailbox. The necessary information is sent to the subscriber's customer premises equipment. This feature is based on

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/753,462

information sent by the mail server in the Internet to the local exchange via TCP/IP (Schoen, page 58).

As known to artisans, TCP/IP is a communications protocol to internetwork dissimilar systems. In a TCP/IP network, data is transmitted in packets. However, there is nothing in Schoen indicating that the information is sent in the form of objects.

In the first full paragraph of page 12, the present application states that, for the transmission of objects, the Internet inter object request broker protocol (IIOP) defined by an object management group (OMG) can be used which can be transmitted in the context of the TCP/IP. But this does not mean that all data transmitted over TCP/IP is in the form of objects. In addition, Schoen does not indicate in any way that data in the object form is preferable in the system shown in Fig. 10. To support his position that the data transmitted via TCP/IP in Schoen is in the form of objects, the Examiner needs to provide documentary evidence. But the Examiner has failed to do so.

Furthermore, in the system shown in Fig. 10 of Schoen, what is sent by the mail server to the local exchange is an e-mail waiting indication. A skilled artisan would appreciate that the e-mail waiting indication in Schoen is only a TCP/IP indication, and is not in the form of objects.

Accordingly, Applicants respectfully submit that claim 1 is patentable over Schoen. Claims 5, 7, 9, and 10 are patentable at least for the same reasons.

4.   Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Schoen in view of Allard et al. (USP 6,067,559).

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/753,462

Allard discloses a server architecture for segregation of dynamic content generation

application into separate process spaces. Given the different goals of Allard and Schoen, there is

no motivation or suggestion for a skilled artisan to combine the two references. In addition,

Allard does not provide any deficiency of Schoen. Thus, even if a skilled artisan were to

combine Allard and Schoen, the combination would not result in the invention of claim 8.

Accordingly, Applicants submit that claim 8 is patentable.

5.   Claim 2 stands rejected under 35 U.S.C. 103(a) as being unpatentable over

Schoen in view of Sundermier (USP 6,484,214). Applicants respectfully disagree.

Sundermier provides a method for incrementally acquiring additional software

components which can them be assembled according to the logic represented within one or more

mediating components. The acquired components may them initiate communications with

remote servers and/or may provide a component-specific user interface.

Again, Schoen does not indicate in any way that data in the object form is preferable in

the system shown in Fig. 10.

Given the different goals of Schoen and Sundermier, there is not motivation or suggestion

to combine Schoen and Sundermier. There is no reason for a skilled artisan to pick the object-

request-broker from Sundermier and add it to Schoen.

Thus, Applicants submit that claim 2 is patentable.

6.   Claim 3 stands rejected under 35 U.S.C. 103(a) as being unpatentable over

Schoen in view of admitted prior art, page 2, lines 2-11. The admitted prior art does not teach or

suggest the recited data for providing telecommunication services for the subscriber transmitted on the connection between an exchange and a service computer in the form of objects.

Accordingly, Applicants submit that claim 3 is patentable.

7.   Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Schoen in view of Sundermier and further in view of White (USP 6,069,890).

As discussed above, there is not suggestion or motivation to combine Schoen and Sundermier.

White provides a method for permitting a caller to set-up and carry out a telephone call over the Internet from telephone station to telephone station without access to computer equipment. However, Schoen is used to provide services to both computer users and telephone users via PSTN. It is improper to combine Schoen and White.

Accordingly, Applicants submit that claim 4 is patentable.

8.   Claim 6 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Schoen in view of Roberts et al. (USP 6,295,551). Roberts is related to a call center system allows a representative and a user to jointly browse the Internet while simultaneously conducting a voice conversation over either a circuit switched or packet switched network. Robert does not provide any deficiency of Schoen.

Accordingly, Applicants submit that claim 6 is patentable.

9.   In the newly added claims 11-14, data for configuring telecommunication services is transmitted in the form of objects. The system shown in Fig. 10 of Schoen is used for indicating that an e-mail has been received by a user's electronic mailbox, and does not teach
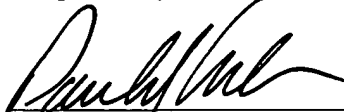
AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/753,462

transmitting data for configuring telecommunication services. The system shown in Fig. 9 of

Schoen is used for configuring supplementary services by a user for his PSTN/ISDN line, but

HTML documents are used. HTML documents are programmed by a certain type of language,

and are not in object forms. Thus, Applicants submit that claims 11-14 are patentable for this

additional reason as well.

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

Paul J. Wilson
Registration No. 45,879

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: February 24, 2005

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: _____ February 24, 2005 _____

Signed: _____ Mariann Tam _____

13